

FILED

June 15, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**BY: DT
DEPUTY**UNITED STATES OF AMERICA,****Plaintiff,****v.****(1) FRANCISCO DANIEL COBOS,****and****(2) ANTHONY WAYNE COPE,****Defendants.**§ **CRIMINAL NO. EP-20-CR-01957-DB**

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SECOND**SUPERSEDING****INDICTMENT****CT 1:** 21:846, 841(a)(1) and 841(b)(1)(A)(ii) -Conspiracy to Possess a Controlled Substance with
Intent to Distribute;**CT 2:** 21:841(a)(1), 846 & 18:2-Attempt to Possess
a Controlled Substance with Intent to Distribute and
Aiding & Abetting.**Notice of Government's Demand for Forfeiture**

THE GRAND JURY CHARGES:

COUNT ONE

(21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A)(ii))

That on or about August 14, 2020, in the Western District of Texas, Defendant,

ANTHONY WAYNE COPE (2),

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 846, that is to say, they conspired to possess a controlled substance, which offense involved cocaine, a Schedule II Controlled Substance, with intent to distribute same, in violation of Title 21, United States Code, Section 841(a)(1) and the quantity of the mixture or substance containing cocaine involved in the conspiracy and attributable to Defendant as a result of Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to Defendant is 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, all in violation of Title 21, United States Code, Section 846, 841(a)(1) and 841(b)(1)(A)(ii).

COUNT TWO

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(ii), 846 & 18 U.S.C. § 2))

That on or about August 14, 2020, in the Western District of Texas, Defendants,

(1) FRANCISCO DANIEL COBOS
and
(2) ANTHONY WAYNE COPE,

did knowingly and intentionally attempt to possess with intent to distribute a controlled substance and aided and abetted the same, which offense involved 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(ii), 846 and Title 18, United States Code, Section 2.

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

Drug Violations and Forfeiture Statutes

[Title 21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(ii), subject to forfeiture pursuant to Title 21 U.S.C. §§ 853(a)(1) and (2)]

As a result of the foregoing criminal violations set forth in Count One, the United States gives notice to Defendants **FRANCISCO DANIEL COBOS (1)**, and **ANTHONY WAYNE COPE (2)**, of its intent to seek the forfeiture of certain properties upon conviction pursuant to Fed R. Crim. P. 32.2 and Title 21 U.S.C. §§ 853(a)(1) and (2), which state:

Title 21 U.S.C. § 853. Criminal Forfeitures

(a) Property subject to criminal forfeiture

*** * ***

- (1)** any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2)** any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

This Notice of Demand for Forfeiture includes but is not limited to the properties described below in Paragraph II and III.

II.
Properties

1. **\$219,736.00 in United States Currency; and**
2. **Any and all accessories involved in or used in the commission of the criminal offense.**

III.
Money Judgment

Money Judgment: A sum of money that represent the amount of proceeds obtained, directly or indirectly, property involved in such offense, or traceable to such property as a result of the violations set forth in Count One for which Defendants **FRANCISCO DANIEL COBOS (1) and ANTHONY WAYNE COPE (2)** is individually liable.

Substitute Assets

If any of the property described above as being subject to forfeiture for the violations set forth above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States to seek forfeiture, pursuant to Title 21 U.S.C. § 853(p), as incorporated by Title 28 U.S.C. § 2461(c), of any other property of said Defendant up to the value of the forfeitable property.

A TRUE BILL.



FOREPERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY: _____
Assistant U.S. Attorney